

HB 1728 transmitted by the Chief Clerk to the Governor on April 19, 1971.

HB 1729 transmitted by the Chief Clerk to the Governor on April 19, 1971.

HB 1730 transmitted by the Chief Clerk to the Governor on April 19, 1971.

HB 1731 transmitted by the Chief Clerk to the Governor on April 19, 1971.

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and a resolution, as follows:

Banks and Banking: HB 812, HB 818, HB 1406, HB 1407, HB 1410.

Commerce and Manufacturing: HB 433.

Governmental Affairs and Efficiency: HB 138, HB 341, HB 602, HB 956, HB 1015, HB 1168, HB 1401, HB 1662, SB 254.

Highways and Roads: HB 1181, HB 1327, HCR 47.

Parks and Wildlife: HB 428, HB 605, HB 775, HB 979, HB 1535, HB 1628.

School Districts: HB 1259.

State Affairs: HB 1254.

State Finance: SB 245.

FIFTY-EIGHTH DAY—WEDNESDAY, APRIL 21, 1971

The House met at 10:30 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Burgess	Davis, H.	Harris
Adams	Bynum	Denton	Hawn
Allen, Joe	Caldwell	Doran	Haynes
Allen, John	Calhoun	Doyle	Head
Allred	Carrillo	Earthman	Heatly
Atwell	Cates	Farenthold	Hendricks
Baker	Cavness	Finck	Hilliard
Bass, B.	Christian	Finnell	Holmes, T.
Bass, T.	Clark	Floyd	Howard
Beckham	Clayton	Foreman	Hubenak
Bigham	Coats	Gammage	Hull
Blanton	Cobb	Grant	Ingram
Blythe	Cole	Graves	Jones, D.
Bowers	Craddick	Hanna, Joe	Jones, E.
Braecklein	Daniel	Hannah, John	Jones, G.
Braun	Davis, D.	Harding	Jungmichel

Kaster	Murray	Salter	Truan
Kilpatrick	Nabers	Sanchez	Tupper
Kost	Nelms	Schulle	Uher
Kubiak	Newton	Semos	Vale
Lee	Nugent, J.	Shannon	Von Dohlen
Lemmon	Orr	Sherman	Ward
Lewis	Parker, C.	Short	Wieting
Longoria	Poerner	Silber	Williams
Lovell	Poff	Simmons	Williamson
McAlister	Presnal	Slider	Wolff
Mengden	Price	Solomon	Wyatt
Moncrief	Reed	Spurlock	
Moore, A.	Rosson	Stewart	
Moreno	Salem	Tarbox	

Absent

Angly	Golman	Moore, G.	Rodriguez
Atwood	Hale	Neugent, D.	Santiesteban
Boyle	Hawkins	Nichols	Slack
Cruz	Holmes, Z.	Ogg	Smith
Dramberger	Johnson	Parker, W.	Swanson
Finney	Ligarde	Patterson	Traeger
Garcia	McKissack	Pickens	

Absent-Excused

Agnich	Moore, T.	Stroud	Wayne
Lombardino	Niland		

A quorum of the House was announced present.

The Invocation was offered by Chaplain Clinton Kersey.

Representatives Swanson, McKissack, Golman, Boyle, and Angly entered the House and were announced present.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence for today on account of important business:

Mr. Tom Moore on motion of Mr. Grant.

Mr. Niland on motion of Mr. Williams.

Mr. Lombardino on motion of Mr. Poerner.

The following Member was granted leave of absence for today on account of illness:

Mr. Stroud on motion of Mr. Tom Bass.

Representative Pickens entered the House and was announced present.

BILL AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bill and resolution:

HB 1458, Adding Chapter 54 to the Water Code, relating to municipal utility districts.

HCR 115, Commending Frank E. Medina.

SCR 84—REFERRED TO COMMITTEE

(Inviting the Honorable James Harold Wilson, Prime Minister of England, to address a Joint Session)

The Speaker laid before the House the following resolution:

SCR 84

Whereas, The Honorable James Harold Wilson will be in Texas for the dedication of the Lyndon Baines Johnson Library in May, 1971; and

Whereas, Prime Minister Wilson was educated at Oxford University and later returned as a Lecturer of Economics at Oxford; he received the Gladstone Memorial Prize, the Webb Medley Economics Scholarship and was accepted in the Order of the British Empire; and

Whereas, Mr. Wilson served in the Parliament from 1945 to 1950, being elected Parliamentary Secretary; served as Minister of Works and President of the Board of Trade prior to becoming Prime Minister; and

Whereas, It is the desire of the Texas Legislature to hear this distinguished scholar, historian and outstanding world leader; now, therefore, be it

Resolved by the Senate of the 62nd Legislature, the House of Representatives concurring, That Prime Minister James Harold Wilson be and is respectfully invited to address a Joint Session of the Texas Legislature at 11:00 a.m. Monday, May 3, 1971.

The resolution was referred to the Committee on House Administration.

SENATE JOINT RESOLUTION ON FIRST READING

The following Senate Joint Resolution was today laid before the House, read first time and referred to the Committee on Constitutional Amendments:

SJR 31.

SENATE BILLS ON FIRST READING

The following Senate Bills were today laid before the House, read first time and referred to Committees, as follows:

SB 81 to the Committee on State Affairs.

SB 359 to the Committee on Oil, Gas, and Mining.

SB 513 to the Committee on State Affairs.

COMMITTEE MEETING

Mr. Clayton asked unanimous consent of the House that the Committee on Counties be permitted to meet at this time.

There was no objection offered.

Representatives Patterson, Hawkins, Johnson, Nichols, and Santiesteban entered the House and were announced present.

SENATE BILLS ON FIRST READING—(continued)

SB 445 to the Committee on Criminal Jurisprudence.

SB 564 to the Committee on Parks and Wildlife.

SB 566 to the Committee on Parks and Wildlife.

SB 567 to the Committee on Criminal Jurisprudence.

SB 838 to the Committee on Urban Affairs.

SB 916 to the Committee on Counties.

SB 921 to the Committee on Insurance.

HOUSE BILLS ON FIRST READING

The following House Bills were today laid before the House, read first time and referred to Committees, as follows:

By Williams:

HB 1732, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Aldine Public Utility District; declaring district a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; finding district is created for public use and benefit; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable

to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the district's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of director's own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to district and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of district; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the district, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which district is situated and to situations where necessary to carry out the purposes for which district was created; providing district shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of district offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this district; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this district shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this District; providing that district is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Haynes:

HB 1733, A bill to be entitled An Act relating to the method, number, and seasons for taking shrimp from that part of Lake Sabine that is in Orange County; providing penalties; and declaring an emergency.

Referred to Committee on Parks and Wildlife.

By Ogg:

HB 1734, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitu-

tion of Texas, known as Jackrabbit Road Public Utility District; declaring District a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; finding district is created for public use and benefit; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the district's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to district and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of district; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the district, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which district is situated and to situations where necessary to carry out the purposes for which district was created; providing district shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of district offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this district; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this district shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this district; providing that district is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ogg:

HB 1735, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution

of Texas, known as Huffsmith Road Public Utility District; declaring district a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; finding district is created for public use and benefit; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the district's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to district and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of district; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the district, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestibility of bonds; providing the power of eminent domain shall be limited to the county or counties within which district is situated and to situations where necessary to carry out the purposes for which district was created; providing district shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of district offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this district; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this district shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this district; providing that district is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing that district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ogg:

HB 1736, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Kuykendahl Road Public Utility District No. 2; de-

declaring district a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure, and related matters; finding benefit to all property within the district; finding district is created for public use and benefit; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the district's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to district and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of district; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections, and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the district, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which district is situated and to situations where necessary to carry out the purposes for which district was created; providing district shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of district offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this district; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this district shall be eligible investments; providing that the Municipal Annexation Act shall have no application to this district; providing that district is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ogg:

HB 1737, A bill to be entitled An Act creating and establishing a conservation and reclamation district under Article 16, Section 59, Constitution of Texas, known as Kuykendahl Road Public Utility District No. 1; declaring district a governmental agency, body politic and corporate; defining the boundaries; finding the field notes and boundaries form a closure,

and related matters; finding benefit to all property within the district; finding district is created for public use and benefit; conferring on district the rights, powers, privileges, authority and functions of the general laws of Texas applicable to water control and improvement districts created under said Article 16, Section 59, Constitution of Texas, where not in conflict with this Act, and adopting same by reference; providing for continuing supervision by the Texas Water Rights Commission; stating the policy of the state with regard to waste control; prescribing the district's rights, powers, privileges and functions, and related matters; providing for no election for confirmation; providing for no hearing for exclusions except on written request or the board of directors' own motion; providing for no hearing on plan of taxation and adopting ad valorem plan of taxation; providing for addition of land to district and the assumption of bonded indebtedness by the added land, and related matters; providing for governing body of district; providing for qualifications and bonds of directors; naming first board of directors; providing for the filling of vacancies; providing for terms and election of directors and notice of directors elections; and related matters; providing for the letting of construction contracts and the drawing of warrants; providing for execution of contracts by the president; providing duties of vice-president; providing for compliance with Article 7880-139, V.T.C.S.; providing for bonds and refunding bonds of the district, and related matters; providing for approval of bonds by the Attorney General of Texas and registration by the Comptroller of Public Accounts; providing for the incontestability of bonds; providing the power of eminent domain shall be limited to the county or counties within which district is situated and to situations where necessary to carry out the purposes for which district was created; providing district shall bear expenses of relocating, raising, or rerouting any highway, railroad or utility lines or pipe lines made necessary by its exercise of the power of eminent domain; defining "sole expense"; providing for depositories; providing for an audit, and related matters; providing for the establishment of district offices, and related matters; providing for the sale of bonds and the price of such bonds; providing that Article 7880-77b, V.T.C.S., shall not be applicable to this district; providing that notice of all elections shall be under the hand of the president or secretary; providing for the canvassing of election returns; providing that bonds and refunding bonds of this district shall be eligible investments, providing that the Municipal Annexation Act shall have no application to this district; providing that district is subject to provisions of Article 1182c-1, V.T.C.S.; determining and finding that the requirements of Article 16, Section 59(d), Constitution of Texas, as to notice of intention to introduce this Act have been fulfilled and accomplished; providing the district shall not be required to pay any tax or assessment on its properties or any purchase; enacting other provisions relating to the aforementioned subjects; providing a severability clause; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

By Ogg:

HB 1738, A bill to be entitled An Act creating a conservation and reclamation district under the provisions of Article 16, Section 59, Constitution of Texas, in Harris County, Texas, to be known as Emerald Forest Utility District of Harris County, Texas; defining its boundaries and finding their closure; finding benefits to the land and other property in the district; prescribing its rights, powers, privileges and duties; providing that no confirmation election shall be required; providing for its governing body;

authorizing the levy and assessment of taxes and adopting the ad valorem basis of taxation; authorizing the issuance and refunding of bonds and prescribing their terms and security; authorizing the investment of bond proceeds; prescribing the procedure for annexing land; providing that no exclusion hearing shall be required except under certain circumstances; requiring supervision by the Texas Water Rights Commission; requiring the district to establish an office; providing for the selection of a depository; requiring audits and a system of accounts; containing provisions that its bonds are legal investments and eligible to secure public deposits; providing that except for its creation the district shall be subject to the provisions of Article 970a and subject to the provisions of Article 1182c-1, Vernon's Texas Civil Statutes; providing that the district shall bear the sole expense of the relocation of certain facilities; containing other provisions relating to the subject; providing that the district's properties shall not be subject to taxation; providing a severability clause; finding of notice of intention to introduce this Act; and declaring an emergency.

Referred to Committee on Conservation and Reclamation.

Representatives Cruz, Bill Bass, Slack, Ligarde, Garcia, and Zan Holmes entered the House and were announced present.

INTRODUCTION OF HB 1741

Mr. Joe Allen asked unanimous consent to introduce and have placed on first reading HB 1741.

There was no objection offered.

HCR 47—ADOPTED

The Speaker laid before the House the following resolution on committee report:

HCR 47, Directing the Highway Department concerning natural collection points for surface water.

Mr. Shannon offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend HCR 47 by deleting the word "direct" on line 17 and inserting the word "encourage" in lieu thereof.

The amendment was adopted without objection.

HCR 47, as amended, was adopted.

Mr. Short moved to reconsider the vote by which HCR 47 was adopted and to table the motion to reconsider.

The motion to table prevailed.

Representatives Rodriguez, Walt Parker, and Hale entered the House and were announced present.

SCR 7—ADOPTED
(Mr. Lovell—House Sponsor)

The Speaker laid before the House the following resolution on committee report:

SCR 7, Concerning conservation education being taught in public schools.

The resolution was adopted without objection.

SB 215—REQUEST OF SENATE GRANTED

On motion of Mr. Carl Parker, the House granted the request of the Senate for the appointment of a Conference Committee on SB 215.

SB 215—APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker announced the appointment of the following Conference Committee, on the part of the House, on SB 215:

Representatives Carl Parker, Chairman; Kilpatrick, Cavness, Doyle, and Salem.

Representatives Finney and Ogg entered the House and were announced present.

CONGRATULATORY RESOLUTION ADOPTED

The following Congratulatory Resolution was adopted unanimously:

HSR 372, by Harold Davis: Congratulating the Capitol City Little Dribblers.

On motion of Mr. Cavness, the names of all the Members of the House were added to the resolution as signers thereof.

INTRODUCTION OF HB 1742

Mr. Ogg asked unanimous consent to introduce and have placed on first reading HB 1742.

There was no objection offered.

Representative Traeger entered the House and was announced present.

INTRODUCTION OF HJR 92

Mr. Traeger asked unanimous consent to introduce and have placed on first reading HJR 92.

There was no objection offered.

Representative Atwood entered the House and was announced present.

ADDRESS BY THE HONORABLE RAY LEMMON

On motion of Mr. Swanson, the following remarks made by the Honorable Ray Lemmon in addressing the House on today were ordered printed in the Journal:

OUR TEXAS HERITAGE

It is not popular today to speak too much in praise of the past. You are surely aware that this is the "now" generation. For we are being endlessly and noisily reminded of the fact.

We live in a time when an increasing number of people—and not just the youth—are losing faith in the past. The past, we are told, is error, tomorrow is unknown. Only today and what we do with it has meaning. What men and nations have said and done in the past is to be distrusted if not forgotten, for it only serves to inhibit the free expression of the individual will.

In the light of such thinking, I must warn you that I speak from a hopelessly archaic point of view. I hold the past in respect, in awe, and often in reverence. I hold to the view that some part of whatever I am is due in some way to what those before me were.

But I am not a chauvinist. I am not an apologist for the events, the men, or the ideas of which I speak today. If we understand each other at this point, I can proceed to discuss with you my thoughts about Our Texas Heritage—that which has come to us from the past and which serves to make us the unique state and people that we are.

I do not pretend to impartiality or to lack of bias. I am a Texan. One of my favorite stories concerns the Texan of another day who, being in a small town in another state with nothing to do, wandered into a funeral service for the town reprobate. After reading the service the minister was at a loss for the eulogy which was expected in those days, so he looked at the few people there and said, "Does anyone have anything to say about the deceased?" There was a long silence, whereupon the Texan stood up and said, "Seeing as how nobody's got anything to say about

the deceased, I'd like to take a few minutes to tell you about Texas." And one of my favorite cartoons shows a couple driving down a highway, approaching a sign which reads, "You are now leaving Texas—how could you?"

But not everyone has shared these feelings. There is the old story about General William T. Sherman, who was stationed in Texas during reconstruction days and who is supposed to have said, "If I had a choice between living in Texas or hell, I would sell Texas and live in hell." Lest anyone be swayed by this judgement, however, let me remind you that the good General's remarks have all the objectivity of any soldier who has been too long from home.

In discussing this heritage of ours I should like to present four small segments, or vignettes: a tragic defense, a battle, a moment in the life of a man, and one pervading idea.

I begin with the Alamo. The Alamo cannot be explained in today's thought. It cannot be understood as a rational experience except as one can reshape the 20th Century mind to some sympathetic understanding of that time and place.

The Alamo was not a part of a strategic plan. For the simple reason that Texas had no strategic planners. In December 1835, James Bowie had been sent to San Antonio with a few hundred men to capture that place from the Mexicans. Thanks as much to the ineptness of the Mexican commander as to the bravery of the Texans, San Antonio and its defenders surrendered. So it was that in February of 1836, Bowie held San Antonio and the Alamo, but by now his force had dwindled to perhaps 100 men. Although Bowie himself had said that it would take 1000 men to defend the place, he seems to have decided that it must be held with whatever forces could be raised. Reinforcements were sent, but the total number within the walls of the Alamo on that February day when the Mexican forces appeared was something like 150. In the meantime, Bowie had become ill and William Barret Travis had succeeded to the command. That he understood, and concurred with Bowie's estimate, is clear from the first of his two final messages, so important a part of Texas history is this letter that I would read it to you in its entirety:

Commandancy of the Alamo
Bexar, Feby 24th, 1836

To the People of Texas and all Americans in the World

Fellow Citizens and Compatriots:

I am besieged by a thousand or more of the Mexicans under Santa Anna. I have sustained continual bombardment and cannonade for 24 hours and have not lost a man. The enemy has demanded a surrender at discretion, otherwise the garrison are to be put to the sword, if the fort is taken. I have answered the demand with a cannon shot, and our flag still waves proudly from the walls. I shall never surrender or retreat. Then, I call on you in the name of liberty, of patriotism, and everything dear to the American character, to come to our aid with all dispatch. The enemy is receiving reinforcements daily and will no doubt increase to three or four thousand in four or five days. If this call is

neglected I am determined to sustain myself as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country, victory or death.

William Barret Travis
Lt. Col. Comd't

It would add color to the story to say that hundreds answered this appeal, but the truth is that 32 men came from Gonzales and literally fought their way into the Alamo. At best, we can feel that their response was a symbol that Texas heard, and that somebody cared.

After two weeks before the walls of the Alamo, the Mexican forces launched their final assault at about 4:00 a.m. on the 6th of March. By about 9 o'clock the last defender was dead.

In the John Wayne movie, the British actor, Laurence Harvey, played Travis virtually as a paranoid. This characterization is unacceptable unless we believe that the personal sacrifice of the young in the defense of a seemingly hopeless cause is paranoia. You see, William Barret Travis, Lt. Col., Texas Army, was about 26 years old when he died.

The Alamo, far from being a useless waste of men, bought for Texas and the Texans what is often the most precious military commodity of all—time. In the six weeks or so after the fall of the Alamo, Sam Houston struggled to make a fighting force out of a constantly changing group of highly individualistic persons who were there, only because they wanted to be.

From Gonzales to San Felipe to Groce's Plantation (near present Hempstead) the Texas forces fell back, to the dismay of the civilians fleeing all around them. For a week Houston held his men on the Brazos for "training", and then took up the march again. He passed slightly north of present day Houston and crossed the Buffalo to the east, then followed the Buffalo on its south bank to San Jacinto.

In the meantime, Santa Anna had approached the Brazos. Not with an army as we commonly suppose, but with a kind of reinforced escort which he, in his growing contempt and disdain for the Texans, had persuaded himself would be sufficient to enable him to deal personally with the rebels. Finding a small party of Texans holding the crossing at San Felipe he moved downstream to Fort Bend, crossed the river there, and moved to Harrisburg where he burned the town which had been so recently evacuated by the Texas government. In pursuit of this so-called government, and with complete disregard for the rabble in arms which was in the field, Santa Anna moved along the Buffalo to what is now Morgan's Point. But he missed them, and he turned back to a point at the confluence of the Buffalo and San Jacinto. On this low plain he now confronted the Texans and his hour of destiny.

At three o'clock on the afternoon of the 21st of April, 1836, some 900 Texans in a long single line moved out to challenge the "Napoleon of the West". This was still a day when men went into battle with field music and flags. Even then Texas was a melting pot; for the Texans there was a Negro drummer and several fifers—one a German immigrant with little English—all playing the one tune they knew in common—"Will You Come to the Bower?"

And at Goliad there had been a flag,—not the familiar Lone Star which was to come, but a white flag with a single blue star and the legend, *Ubi Libertas Habitat Ibi Nostra Patria Est*.

I imagine that few of the men who stepped out upon the plain of St. Hyacinth that afternoon could have translated that line, but I do not doubt that every man there fully shared its expression—"Where freedom dwells, there is my homeland."

From San Jacinto to a day in Austin 25 years later is a long time in the life of a man. By then, Sam Houston, the greatest Texan of his day, after some 14 years in the United States Senate, was Governor of the State of Texas. Before him was a question—the gravity of which none of us today can possibly imagine—the question of secession from the union.

The legislative details of Texas' act of secession do not concern us here. Suffice it to say that Houston could see no future for Texas outside the Union. President Lincoln offered him the support of federal troops stationed in Texas, but he declined the offer. Secession having become a fact, he was called upon to take the oath of allegiance to the Confederacy, but he declined to do that, for he had taken his Oath of Allegiance as a lieutenant in the United States Army nearly 50 years before and he would not take another. Thus, on the 16th of March, 1861, Sam Houston, Governor of the State of Texas, was removed from office.

As he rode out of Austin into political oblivion he was a man in his late 60's, full of honors, but still fired by the same ambitions which impelled him to his moments of greatness. He might have compromised, served out his term and retired with dignity. The late President Kennedy speaks of such things in his "Profiles in Courage," but none of the men there ever equalled Sam Houston in stature as a public figure. However ill-used he might have been by the people whom he had served, there were from him no recriminations. He had acted out of courage and his own unique sense of principle, secure in the knowledge that the exercise of true personal freedom is sometimes required at the expense of public favor.

I said that I would speak of one pervading idea which is a part of our Texas heritage. That idea is the worth of public education.

It is an interesting thing to note that neither the Declaration of Independence nor the Constitution of the United States has anything to say directly about public education. By contrast, the Texas Declaration of Independence lays down as one of its charges against Mexico the failure to provide for public education; and the Constitution of 1845 provides the rationale for public schools in this line:

"A general diffusion of knowledge is essential to the preservation of the rights and liberties of the people."

The school law of 1854 set aside \$2 million of U.S. bonds for the benefit of public schools, the distribution to be made only from the interest on those bonds. The first per capita distribution was some 62¢, and I can well imagine some school superintendent complaining, "It's not enough."

The Constitution of 1876 (our present Constitution) Art. VII, Sec. 1:

"A general diffusion of knowledge being essential to the preservation of

the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provisions for the support and maintenance of an efficient system of public free schools."

There are those today who profess not to understand the object of public education. Those who raise such professions either are ignorant or do so with some ulterior motive, however praiseworthy they may at the moment think it to be. The object of public education is plain and clear: it is to preserve the liberties and rights of the people through the diffusion of knowledge. This was the object in 1876; this is the object now. This is a part of our Texas heritage.

Through all these diverse thoughts runs one common theme: the exercise of the conscience conditioned by liberty, and the cry for responsible personal freedom. This, I think is our Texas heritage.

Every Texan in this room who as a boy studied Texas history, remembers the oratorical line: "Thermopylae had its messenger of defeat, the Alamo had none".

There is a poignant fable told by the Greek poets concerning Leonidas, the leader of the Greeks who died at Thermopylae.

Xerxes, the Persian victor, spreads a purple cloak over the body of Leonidas out of admiration for his valor, the spirit of Leonidas, in the other world, rejects it; he wants no favor from the Persians, the poet says, "But thou art dead, Leonidas, why hate the Persians even in death?" to which Leonidas replies, "The passion for freedom dieth not."

Whatever Texan has within him that inner ear which hears fables and the voices of dead heroes may well hear some voice saying, where freedom dwells, there is my homeland.

(Credit for the inspiration and help in preparing these remarks is given to L. L. Walker, Jr., of Houston.)

BILLS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House, after giving due notice thereof, the following enrolled bills:

SB 49, Relating to compensation of the official shorthand reporter of the 81st Judicial District.

SB 183, Amending the Uniform Act Regulating Traffic on Highways.

SB 346, Providing for the regulation and legal sale of mixed beverages on a local option basis.

HOUSE AT EASE

At 11:27 a.m., the Speaker stated the House would stand at ease.

At 11:30 a.m., the Speaker called the House to order.

ADDRESS BY DR. RUPERT N. RICHARDSON

(The House of Representatives and the Senate in Joint Session)

In accordance with the provisions of HCR.37, providing for a Joint

Session at 11:00 a.m. today, for the purpose of hearing an address by Dr. Rupert N. Richardson, the House and Senate met in Joint Session in the Hall of the House.

Senator Aikin occupied a seat on the Speaker's Rostrum.

Dr. Rupert N. Richardson and party, accompanied by Senators Ratliff, Snelson, Sherman, and Creighton, Committee on the part of the Senate, and Representative Frank Calhoun and Representative Grant Jones, occupied seats on the Speaker's Rostrum.

Senator Aikin called the Senate to order.

A quorum of the Senate was announced present.

Speaker Mutscher called the House of Representatives to order.

The roll of the House was called.

A quorum of the House was announced present.

Speaker Mutscher stated that the two Houses were in Joint Session for the purpose of hearing an address by Dr. Rupert N. Richardson.

Speaker Mutscher presented the Honorable Frank Calhoun who addressed the Joint Session and introduced guests on the Speaker's Rostrum.

Mr. Calhoun then presented the Honorable Grant Jones who addressed the Joint Session and introduced Dr. Rupert N. Richardson to the Joint Session.

Dr. Richardson addressed the Joint Session speaking, as follows:

"San Jacinto"
By Rupert N. Richardson

It is a high privilege and honor to appear before you today. The Legislature of Texas is a successor to a Congress—the Congress of the Republic of Texas. The Republic of Texas was truly a sovereign nation, a nation that might have continued in the course of independence had not its leaders, sustained by its voters, determined to enter the American Union.

On this San Jacinto day surely it is fitting that we look back to the stirring scenes of 135 years ago. "The Past is Prologue," reads the inscription over the entrance of the National Archives Building in Washington. Be it true; but the past is more than prologue; it is a source of inspiration and strength.

Let us take a few glimpses of some scenes of 1836: First, the Convention that declared independence; the Convention that assembled on that cold March morning in a barn-like structure that had not been completed, in the young, raw village of Washington, with stumps in the passage ways called streets. On the night before they voted the Declaration of Independence on March 2, some members had slept on pallets, fortunate to find any shelter at all. Surely we can draw strength from some examples they set. We need more of the qualities they manifested. We are reminded of William Carroll Crawford, a Methodist preacher,

who by his own account was a confirmed dyspeptic, expecting to be buried on the way when he left his Alabama home for Texas in 1834, but lived until 1895, being the last surviving member of the Convention. Worthy of emulation is the self reliance of Abel Hamilton Latimer, who rode a mule on the 400-mile trip from his home in Pecan Point on the Red River and return, taking along a bag of parched corn for bread, trusting to his rifle for meat. There was the former Congressman, Robert M. Potter from North Carolina, impatient and prone to quarrel, but a true patriot. It was he who would have turned the affairs of the Convention over to a committee while the remainder of the body marched to the relief of their besieged countrymen in the Alamo. He was made Secretary of the Navy in the ad interim government. The Nestor of the body was Collin McKinney, Squire McKinney, his neighbors called him—seventy years of age, destined to live still another quarter century. George C. Childress, lately from Tennessee, thought to write out a Declaration of Independence and bring it along. Furthermore, he introduced the resolution that made "a single star of five points" the peculiar emblem of Texas.

Thomas Jefferson Rusk, a former Georgia lawyer was on hand. He had come to Texas in a vain effort to collect money owed him and friends by crooks who had absconded. He failed to recover the money but stayed to serve Texas worthily and well as Secretary of War and United States Senator.

This was a gathering of young men—forty of the 59 under forty years of age. Most of them were born and brought up in the Old South and they had brought with them a large measure of its culture and practices.

No man among them had more to lose if the contest should fail than the Mexican patriot, Lorenzo de Zavala. He had held practically every high office in the Mexican nation except President, but while serving as Mexican Minister in Paris he became convinced that Santa Anna was destroying constitutional government in Mexico, resigned, and became a citizen of Texas. He was elected Vice-President in the ad interim government set up by the Convention.

Foremost among his compatriots was enigmatic Sam Houston, former Governor of Tennessee, then as in later years manifesting the traits that would make him praised and criticized, honored and excoriated. On its sixth day the Convention sent him into the field as commander-in-chief of all armed forces. He was destined to save the Revolution as a military leader, to serve the commonwealth in high places, and then to be deposed by his fellow Texans for taking the unpopular side in a crisis. Before the bar of history he has been acquitted of the charge of disloyalty to the commonweal and he must be numbered with the great.

This Body of some fifty-nine Texans did a marvelous amount of work. They took steps to secure men, arms, munitions and various other things to meet in some measure the endless demands that a war brings. They dealt with the Indian menace, improved the system of communication, and dealt at length with the land problem system that had become badly snarled. They adopted a Declaration of Independence, wrote a Constitution for the embryonic Republic, and set up a government ad interim—all in seventeen days—seventeen days counting a considerable part of the nights.

It must be said that these men had a strong incentive for expediting business; indeed, they had a compelling reason. They knew that at San Antonio there was a Mexican army that numbered thousands and that nothing lay between them and that ominous force but a few shallow streams, stretches of prairie and motts of timber. Before the Convention ended messengers began to arrive, generally by night, with the terrifying word, "the Mexicans are upon us." Excitement and confusion would follow, but not panic. Then word would come that the alarm was false, but there would be little time left for sleep. It has been suggested that modern deliberative bodies might move faster if some counterpart for an invading Mexican army could be devised. One anecdote of 1836 has often been repeated: Lorenzo de Zavala started what promised to be a long speech with the statement, "Mr. President, an eminent Roman statesman once said—", whereupon Thomas Jefferson Rusk interrupted with apologies to remind the body that it behooved them to forget "dead Romans" and give more attention to "live Mexicans." "Let us get on with the business," he said.

As the Convention at Washington-on-the-Brazos got under way a tragic scene prevailed at San Antonio. One hundred-fifty Texans were gathered there. Most were lately from the United States but they had become Texans heart and soul and they elected and sent to represent them at the Convention at Washington-on-the-Brazos that was to create a nation, two of their own number: Jesse B. Badgett and Samuel A. Maverick. These men were not seeking to play the role of heroic martyrs. They were young and loved life, but circumstances called for heroism and they stood the test. Their commander, Barret Travis, sent out repeated calls for help, his message, "I shall never surrender or retreat," pronounced by the scholarly Texas historian George Pierce Garrison, the most heroic document in American history.

Only a little help came. Thirty-two men of Gonzales and the message bearer, James Butler Bonham, did not hesitate to enter on March 3, even though they must have known that the fate of the Alamo was sealed.

The men of the Alamo fought unto death and they did not die in vain. They gave Texas a few precious days, days that their fellow Texans used well.

Now let us turn to another scene—hundreds of scenes, in fact, many that had no witness—scenes of a nation in flight. From the Coastal Plains of Victoria to Mina on the upper Colorado, from Gonzales on the Guadalupe, to Liberty on the Trinity, people were on the run and in pitiable plights. In later years they referred to the episode as "the run-away scrape," and could even laugh at some of the grim circumstances it brought upon them. They feared for their lives, and besides they were not willing to stay in Texas under the rule of the dictator Santa Anna. Texas became a land of bleak desolation. A contemporary who passed through some communities just after the people had fled had related that houses were standing open, beds unmade, the breakfast things still on the tables, pans of milk molding in the dairies. "Chickens ran after us for food," he related. "Forlorn dogs roamed around the deserted homes, their doleful howls adding to the general sense of desolation. Hungry cats ran mewling to meet us, rubbing their sides against our legs in token of welcome."

More pitiable still were conditions among the fleeing people, mainly women, children and old men; the best men were with the army. There were

not nearly enough wagons, so trucks were used and slides had to be improvised. Many had to walk and leave almost everything behind. At rivers, swollen by spring rains, ferries were inadequate, and people gathered by the hundreds and even thousands. Rains and epidemics brought on much sickness and death seemed to hover over the campsites.

Meanwhile Sam Houston had made his way to Gonzales, where he found a few hundred men with inadequate arms and equipment and little organization. Here his fears were confirmed. He learned that the Alamo had fallen and that a great Mexican army fifty miles away would soon resume its march. Not willing to risk a battle with the slim force he had at hand, he felt impelled to retreat, and as it reached the people the news of his retreat added to the confusion and panic. He fell back to Burnam's on the Colorado, where he had indicated that he would give battle; but he felt impelled to continue his retreat to San Felipe on the Brazos, the heart of the Texas colonies, and on to Groce's plantation, while ad interim President David G. Burnet excoriated him for not making a stand and engaging in battle. In commenting on his own conduct, Houston wrote: "I consulted none—I held no councils-of-war. If I err, the blame is mine."

At last Houston was ready to fight. He learned that Santa Anna had divided the Mexican army and with a spearhead of select troops was far in advance of his other forces. Houston set out to meet the enemy, and his men cheered at the fork of the road when they learned that they were marching toward the enemy instead of away from him.

Now, turn with me again to the refugees, the people in the "run-away-scrape." In later years one participant recalled some memories of her childhood. They had stopped for a little rest in Liberty: "On Thursday evening," she related, "all of a sudden we heard a sound like distant thunder." When the sound was repeated, her father, a veteran of the War of 1812, said that it was the sound of cannon. A battle was on. The low rumble soon ceased; a bad omen. The battle had not lasted long and they feared the Texans were beaten.

So the party set out, renewing their flight, most of the citizens of Liberty that had not already left moving with them. They trudged on through the night and most of the following day, much of the time through water and mud. The family had buried a child at Liberty. Of a sudden they observed some excitement in their rear. A horseman had overtaken them, apparently with a message, and people were gathering around him.

To these people any prospect of news meant bad news. They had learned how a little band of Texans on the trail to Matamoros had been slashed to pieces by Urreas' lancers; they knew of the fall of the Alamo; of the capture and merciless shooting of Fannin's men at Goliad. They had heard of a Mexican army at Harrisburg between them and the Texas army. For three months they had had nothing but bad news. Why should they expect good news now? But the people gathered around this rider were shouting with delight as he said, "turn back! turn back! The Mexican army has been defeated and destroyed." And he carried a written message from Sam Houston, telling the people to go back home and plant corn.

At the conclusion of the address by Dr. Richardson, Speaker Mutscher expressed appreciation to Representatives Grant Jones and Calhoun for providing an impressive program.

SENATE RETIRES

At 12:04 p.m., Senator Aikin stated that the business of the Joint Session had been concluded and that the Senate would return to its Chamber.

HOUSE AT EASE

Speaker Mutscher stated that the House would stand at ease pending the departure of the guests.

The Speaker called the House to order at 12:08 p.m.

LEAVES OF ABSENCE GRANTED

On motion of Mr. Jim Nugent, Representatives Carrillo, Von Dohlen, Heatly, Poerner, Clayton, Longoria, and Tom Holmes were granted leaves of absence for the remainder of today on account of official state business.

On motion of Mr. Braecklein, Mr. Griffith Moore was granted leave of absence, temporarily for today, on account of important business.

Representatives Dean Neugent and Dramberger entered the House and were announced present.

SCR 80—ADOPTED
(Mr. Shannon—House Sponsor)

The Speaker laid before the House the following resolution on committee report:

SCR 80, Inviting the Honorable Wilber E. Mills to address a Joint Session.

The resolution was adopted without objection.

SCR 84—ADOPTED
(Mr. Shannon—House Sponsor)

The Speaker laid before the House the following resolution on committee report:

SCR 84, Inviting the Honorable James Harold Wilson to address a Joint Session.

The resolution was adopted without objection.

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

SCR 85, By Mauzy: In memory of Ferris J. McKool.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

SB 185 ON SECOND READING
(Mr. Murray—House Sponsor)

The Speaker laid before the House on its second reading and passage to third reading,

SB 185, A bill to be entitled An Act relating to the change of the name of the Commission for Rehabilitation; amending Sections 2(a), 3, and 4, Chapter 40, General Laws, pages 103 and 105, Acts of the 61st Legislature, Regular Session, 1969, (Article 2675-1, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.

SB 185 ON THIRD READING

Mr. Murray moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 185 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—116

Allen, Joe	Daniel	Hubenak	Parker, C.
Allen, John	Davis, D.	Hull	Parker, W.
Allred	Davis, H.	Ingram	Patterson
Angly	Denton	Johnson	Pickens
Atwell	Doyle	Jones, D.	Poff
Atwood	Dramberger	Jones, E.	Presnal
Baker	Earthman	Jones, G.	Price
Bass, B.	Farenthold	Jungmichel	Rodriguez
Beckham	Finnell	Kilpatrick	Rosson
Bigham	Finney	Kost	Salem
Blanton	Foreman	Kubiak	Salter
Blythe	Gammage	Lee	Santiesteban
Boyle	Garcia	Lemmon	Schulle
Braecklein	Golman	Lewis	Semos
Braun	Grant	Ligarde	Shannon
Burgess	Hale	Lovell	Sherman
Bynum	Hanna, Joe	McAlister	Short
Caldwell	Harding	McKissack	Simmons
Calhoun	Harris	Mengden	Slack
Cates	Hawkins	Moncrief	Slider
Cavness	Hawn	Moore, A.	Solomon
Christian	Haynes	Murray	Spurlock
Clark	Head	Nelms	Stewart
Coats	Hendricks	Newton	Swanson
Cobb	Hilliard	Nichols	Tarbox
Cole	Holmes, Z.	Ogg	Traeger
Craddick	Howard	Orr	Truan

Tupper Uher	Vale Ward	Wieting Williams	Williamson Wyatt
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Nays—14

Adams	Finck	Moreno	Silber
Bass, T.	Floyd	Nabers	Wolff
Bowers	Graves	Nugent, J.	
Doran	Kaster	Reed	

Absent

Cruz	Neugent, D.	Sanchez	Smith
Hannah, John			

Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

The Speaker then laid SB 185 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—129

Adams	Craddick	Head	Murray
Allen, John	Cruz	Hendricks	Nabers
Allred	Daniel	Hilliard	Nelms
Angly	Davis, D.	Holmes, Z.	Newton
Atwell	Davis, H.	Howard	Nichols
Atwood	Denton	Hubenak	Nugent, J.
Baker	Doran	Hull	Ogg
Bass, B.	Doyle	Ingram	Orr
Bass, T.	Dramberger	Johnson	Parker, C.
Beckham	Earthman	Jones, D.	Parker, W.
Bigham	Farenthold	Jones, E.	Patterson
Blanton	Finck	Jones, G.	Pickens
Blythe	Finnell	Jungmichel	Poff
Bowers	Finney	Kaster	Presnal
Boyle	Floyd	Kilpatrick	Price
Braecklein	Foreman	Kost	Reed
Braun	Gammage	Kubiak	Rodriguez
Burgess	Garcia	Lee	Rosson
Bynum	Golman	Lemmon	Salem
Caldwell	Grant	Lewis	Salter
Calhoun	Graves	Ligarde	Santiesteban
Cates	Hale	Lovell	Schulle
Cavness	Hanna, Joe	McAlister	Semos
Christian	Harding	McKissack	Shannon
Clark	Harris	Mengden	Sherman
Coats	Hawkins	Moncrief	Short
Cobb	Hawn	Moore, A.	Silber
Cole	Haynes	Moreno	Simmons

Slack	Swanson	Vale	Wolff
Slider	Tarbox	Ward	Wyatt
Solomon	Traeger	Wieting	
Spurlock	Truan	Williams	
Stewart	Tupper	Williamson	

Nays—1

Uher

Absent

Allen, Joe	Neugent, D.	Sanchez	Smith
Hannah, John			

Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

Mr. Murray moved to reconsider the vote by which SB 185 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 184 ON SECOND READING
(Mr. Murray—House Sponsor)

The Speaker laid before the House on its second reading and passage to third reading,

SB 184, A bill to be entitled An Act relating to the accumulated vacation and sick leave and payment to estates of employees; amending Section 1, Chapter 217, General Laws, page 633, Acts of the 61st Legislature, Regular Session, 1969, (Article 6252-8a, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.

SB 184 ON THIRD READING

Mr. Murray moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen, Joe	Beckham	Burgess	Clark
Allen, John	Bigham	Bynum	Coats
Allred	Blanton	Caldwell	Cobb
Angly	Blythe	Calhoun	Cole
Atwell	Boyle	Cates	Craddick
Atwood	Braecklein	Cavness	Cruz
Baker	Braun	Christian	Daniel

Davis, D.	Hendricks	Nelms	Silber
Davis, H.	Hilliard	Neugent, D.	Simmons
Denton	Holmes, Z.	Newton	Slack
Doyle	Howard	Nichols	Slider
Dramberger	Hubenak	Ogg	Solomon
Earthman	Hull	Orr	Spurlock
Farenthold	Ingram	Parker, C.	Stewart
Finnell	Johnson	Parker, W.	Swanson
Finney	Jungmichel	Patterson	Tarbox
Foreman	Kilpatrick	Pickens	Traeger
Garcia	Kost	Presnal	Truan
Golman	Kubiak	Price	Tupper
Grant	Lemmon	Rodriguez	Uher
Hale	Lewis	Rosson	Vale
Hanna, Joe	Ligarde	Salem	Ward
Hannah, John	Lovell	Salter	Wieting
Harding	McAlister	Santiesteban	Williams
Harris	McKissack	Schulle	Williamson
Hawkins	Moncrief	Semos	Wyatt
Hawn	Moore, A.	Shannon	
Haynes	Murray	Sherman	
Head	Nabers	Short	

Nays—18

Adams	Floyd	Jones, G.	Nugent, J.
Bass, T.	Gammage	Kaster	Reed
Bowers	Graves	Lee	Wolff
Doran	Jones, D.	Mengden	
Finck	Jones, E.	Moreno	

Present—Not Voting

Bass, B.

Absent

Poff	Sanchez	Smith
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Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

The Speaker then laid SB 184 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—133

Adams	Angly	Bass, B.	Blanton
Allen, Joe	Atwell	Bass, T.	Blythe
Allen, John	Atwood	Beckham	Bowers
Allred	Baker	Bigham	Boyle

Braecklein	Garcia	Lemmon	Salter
Braun	Golman	Lewis	Santiesteban
Burgess	Grant	Ligarde	Schulle
Bynum	Graves	Lovell	Semos
Caldwell	Hale	McAlister	Shannon
Calhoun	Hanna, Joe	McKissack	Sherman
Cates	Hannah, John	Mengden	Short
Cavness	Harding	Moncrief	Silber
Christian	Harris	Moore, A.	Simmons
Clark	Hawkins	Moreno	Slack
Coats	Hawn	Murray	Slider
Cobb	Haynes	Nabers	Solomon
Cole	Head	Nelms	Spurlock
Craddick	Hendricks	Neugent, D.	Stewart
Cruz	Hilliard	Newton	Swanson
Daniel	Holmes, Z.	Nichols	Tarbox
Davis, D.	Howard	Nugent, J.	Traeger
Davis, H.	Hubenak	Ogg	Truan
Denton	Hull	Orr	Tupper
Doran	Ingram	Parker, C.	Uher
Doyle	Johnson	Parker, W.	Vale
Dramberger	Jones, D.	Patterson	Ward
Earthman	Jones, E.	Pickens	Wieting
Farenthold	Jones, G.	Poff	Williams
Finck	Jungmichel	Presnal	Williamson
Finnell	Kaster	Price	Wolff
Finney	Kilpatrick	Reed	Wyatt
Floyd	Kost	Rodriguez	
Foreman	Kubiak	Rosson	
Gammage	Lee	Salem	

Absent

Sanchez Smith

Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

Mr. Murray moved to reconsider the vote by which SB 184 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 212 ON SECOND READING
(Mr. Ogg—House Sponsor)

The Speaker laid before the House on its second reading and passage to third reading,

SB 212, A bill to be entitled An Act relating to the Firemen's Relief and Retirement Fund in certain cities; amending Sections 6B, 7B, and 7C, and Subsections (a) and (b), Section 10E, Chapter 125, Acts of the 45th Legis-

lature, Regular Session, 1937, as amended (Article 6243e, Vernon's Texas Civil Statutes); and declaring an emergency.

The bill was read second time and was passed to third reading.

SB 212 ON THIRD READING

Mr. Ogg moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 212 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Adams	Davis, D.	Johnson	Rosson
Allen, Joe	Davis, H.	Jones, G.	Salem
Allen, John	Denton	Jungmichel	Salter
Allred	Doyle	Kilpatrick	Sanchez
Angly	Dramberger	Kost	Santiesteban
Atwell	Earthman	Kubiak	Schulle
Atwood	Farenthold	Lemmon	Shannon
Baker	Finnell	Lewis	Sherman
Bass, B.	Finney	Ligarde	Short
Beckham	Foreman	Lovell	Silber
Bigham	Garcia	McAlister	Simmons
Blanton	Golman	McKissack	Slack
Blythe	Grant	Mengden	Slider
Boyle	Hale	Moncrief	Solomon
Braun	Hanna, Joe	Moore, A.	Spurlock
Burgess	Hannah, John	Murray	Stewart
Bynum	Harding	Nabers	Swanson
Caldwell	Harris	Nelms	Tarbox
Calhoun	Hawkins	Neugent, D.	Truan
Cates	Hawn	Newton	Tupper
Cavness	Haynes	Nichols	Uher
Christian	Head	Ogg	Vale
Clark	Hendricks	Orr	Ward
Coats	Hilliard	Parker, C.	Wieting
Cobb	Holmes, Z.	Parker, W.	Williams
Cole	Howard	Poff	Williamson
Craddick	Hubenak	Presnal	Wyatt
Cruz	Hull	Price	
Daniel	Ingram	Rodriguez	

Nays—19

Bass, T.	Floyd	Kaster	Pickens
Bowers	Gammage	Lee	Reed
Braecklein	Graves	Moreno	Semos
Doran	Jones, D.	Nugent, J.	Wolff
Finck	Jones, E.	Patterson	

Absent

Smith	Traeger
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Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

The Speaker then laid SB 212 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—183

Adams	Doran	Jones, G.	Rodriguez
Allen, Joe	Doyle	Jungmichel	Rosson
Allen, John	Dramberger	Kaster	Salem
Allred	Earthman	Kilpatrick	Salter
Angly	Farenthold	Kost	Sanchez
Atwell	Finck	Kubiak	Santiesteban
Atwood	Finnell	Lee	Schulle
Baker	Finney	Lemmon	Semos
Bass, B.	Floyd	Lewis	Shannon
Bass, T.	Foreman	Ligarde	Sherman
Bigham	Gammage	Lovell	Short
Blanton	Garcia	McAlister	Silber
Blythe	Golman	McKissack	Simmons
Bowers	Grant	Mengden	Slack
Boyle	Graves	Moncrief	Slider
Braecklein	Hale	Moore, A.	Solomon
Braun	Hanna, Joe	Moreno	Spurlock
Burgess	Hannah, John	Murray	Stewart
Bynum	Harding	Nabers	Swanson
Caldwell	Harris	Nelms	Tarbox
Calhoun	Hawkins	Neugent, D.	Traeger
Cates	Hawn	Newton	Truan
Cavness	Haynes	Nichols	Tupper
Christian	Head	Nugent, J.	Uher
Clark	Hendricks	Ogg	Vale
Coats	Hilliard	Orr	Ward
Cobb	Holmes, Z.	Parker, C.	Wieting
Cole	Howard	Parker, W.	Williams
Craddick	Hubenak	Patterson	Williamson
Cruz	Hull	Pickens	Wolff
Daniel	Ingram	Poff	Wyatt
Davis, D.	Johnson	Presnal	
Davis, H.	Jones, D.	Price	
Denton	Jones, E.	Reed	

Absent

Beckham	Smith
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Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

Mr. Ogg moved to reconsider the vote by which SB 212 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 465 ON SECOND READING
(Mr. Clayton—House Sponsor)

The Speaker laid before the House on its second reading and passage to third reading,

SB 465, A bill to be entitled An Act amending Chapter IX, Article 10 of The Texas Banking Code of 1943, codified as Article 342-910, Vernon's Texas Civil Statutes, same being Acts 1943, 48th Legislature, Chapter 97, page 164; authorizing the Banking Commissioner of Texas, with the approval of a majority of the Finance Commission and the Governor of Texas, to proclaim a financial moratorium for and to invoke a uniform limitation on withdrawal of deposits from all banks within the state and providing penalties for failure to comply with the Commissioner's proclamation; authorizing a bank to close or to suspend certain operations during an emergency, defining an emergency, providing for notice of the emergency suspension of operations or closing to the Commissioner, providing the Commissioner may authorize any bank to close any part or all of its offices in an emergency, and providing that no liability or loss of rights of any kind on the part of any bank, or any director, officer, or employee thereof, shall result by virtue of any closing authorized hereunder; providing for severability; providing that all laws or parts of laws which are in conflict with this Act are repealed or modified to the extent of such conflict only; and declaring an emergency.

The bill was read second time and was passed to third reading.

Mr. Traeger moved to reconsider the vote by which SB 465 was passed to third reading and to table the motion to reconsider.

The motion to table prevailed.

MOTION TO PLACE SB 465 ON THIRD READING

Mr. Solomon moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 465 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—93

Allen, John	Braecklein	Cole	Finney
Allred	Burgess	Craddick	Foreman
Angly	Bynum	Davis, D.	Garcia
Atwell	Caldwell	Davis, H.	Golman
Atwood	Calhoun	Denton	Grant
Baker	Cates	Doyle	Hale
Bigham	Cavness	Dramberger	Hanna, Joe
Boyle	Coats	Finck	Hannah, John
Blanton	Cobb	Finnell	Harding

Hawkins	Lemmon	Pickens	Solomon
Hawn	Lewis	Poff	Spurlock
Haynes	Ligarde	Presnal	Stewart
Head	Lovell	Price	Swanson
Hendricks	McAlister	Salem	Tarbox
Hilliard	McKissack	Salter	Traeger
Howard	Moncrief	Sanchez	Tupper
Hubenak	Moore, A.	Santiesteban	Vale
Hull	Murray	Schulle	Ward
Ingram	Nabers	Semos	Wieting
Johnson	Neugent, D.	Shannon	Williams
Jones, G.	Newton	Sherman	Wyatt
Jungmichel	Ogg	Short	
Kilpatrick	Orr	Slack	
Kost	Parker, W.	Slider	

Nays—40

Adams	Daniel	Jones, E.	Patterson
Allen, Joe	Doran	Kaster	Reed
Bass, T.	Earthman	Kubiak	Rodriguez
Beckham	Farenthold	Lee	Rosson
Blythe	Floyd	Mengden	Silber
Bowers	Gammage	Moreno	Simmons
Braun	Graves	Nelms	Truan
Christian	Harris	Nichols	Uher
Clark	Holmes, Z.	Nugent, J.	Williamson
Cruz	Jones, D.	Parker, C.	Wolff

Absent

Bass, B.	Smith
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Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

MESSAGE FROM THE SENATE

Austin, Texas, April 21, 1971

Honorable Gus Mutscher, Speaker of the House of Representatives

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

HCR 116, By Clark, Nelms: Commending the Harris County Commissioners Court Neighborhood Youth Corps on their service to their community and their interest in Texas government.

Respectfully,
CHARLES A. SCHNABEL
Secretary of the Senate

HB 237 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 237, Providing for referendum on issue of daylight saving time.

The bill was read third time and was passed.

Mr. Doran moved to reconsider the vote by which HB 237 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Blythe, Reed, Semos, Blanton, and Coats requested to be recorded as voting Nay on final passage on HB 237.

HB 168 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 168, Requiring Justices of the Peace who are not attorneys to complete a course in law.

The bill was read third time and was passed.

Mr. Williams moved to reconsider the vote by which HB 168 was passed and to table the motion to reconsider.

The motion to table prevailed.

VOTES RECORDED

Representatives Patterson, Ward, John Allen, Kubiak, Christian, and Finnell requested to be recorded as voting Nay on HB 168.

HB 476 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 476, Relating to method of calculating state allotments to school districts.

The bill was read third time and was passed by the following vote:

Yeas—108

Adams	Beckham	Caldwell	Daniel
Allen, Joe	Bigham	Cates	Davis, D.
Allen, John	Blanton	Cavness	Davis, H.
Allred	Blythe	Christian	Denton
Angly	Bowers	Cobb	Doran
Atwood	Braun	Cole	Doyle
Baker	Burgess	Craddick	Dramberger
Bass, B.	Bynum	Cruz	Farenthold

Finck	Jones, D.	Neugent, D.	Short
Finnell	Jones, E.	Newton	Silber
Foreman	Jones, G.	Nichols	Simmons
Gammage	Jungmichel	Nugent, J.	Slack
Garcia	Kaster	Parker, C.	Slider
Golman	Kilpatrick	Parker, W.	Solomon
Grant	Kost	Patterson	Spurlock
Hale	Kubiak	Pickens	Stewart
Hanna, Joe	Lemmon	Presnal	Swanson
Hannah, John	Lewis	Price	Tarbox
Harding	Ligarde	Rodriguez	Traeger
Harris	Lovell	Rosson	Tupper
Hawkins	McAlister	Salem	Uher
Haynes	Moncrief	Salter	Vale
Head	Moore, A.	Sanchez	Ward
Hilliard	Moreno	Santiesteban	Wieting
Howard	Murray	Schulle	Williams
Hubenak	Nabers	Shannon	Williamson
Ingram	Nelms	Sherman	Wyatt

Nays—25

Atwell	Finney	Johnson	Reed
Bass, T.	Floyd	Lee	Semos
Boyle	Graves	McKissack	Truan
Braecklein	Hawn	Mengden	Wolff
Clark	Hendricks	Ogg	
Coats	Holmes, Z.	Orr	
Earthman	Hull	Poff	

Absent

Calhoun	Smith
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Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

Mr. Howard moved to reconsider the vote by which HB 476 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 630 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 630, Relating to making inheritance tax applicable to certain property held in joint tenancy with right of survivorship.

The bill was read third time and was passed by the following vote:

Yeas—116

Adams	Denton	Jones, D.	Price
Allen, Joe	Doyle	Jones, E.	Reed
Allen, John	Dramberger	Jones, G.	Rodriguez
Allred	Farenthold	Jungmichel	Salem
Angly	Finnell	Kaster	Santiesteban
Atwell	Finney	Kilpatrick	Schulle
Atwood	Floyd	Kost	Semos
Baker	Foreman	Kubiak	Shannon
Bass, B.	Gammage	Lemmon	Sherman
Bass, T.	Garcia	Lewis	Short
Beckham	Golman	Ligarde	Silber
Blanton	Grant	Lovell	Simmons
Boyle	Graves	McAlister	Slack
Braecklein	Hale	McKissack	Slider
Braun	Hanna, Joe	Moncrief	Solomon
Burgess	Hannah, John	Moore, A.	Spurlock
Bynum	Harding	Moreno	Stewart
Caldwell	Harris	Murray	Swanson
Cates	Hawkins	Nelms	Tarbox
Christian	Hawn	Neugent, D.	Traeger
Clark	Haynes	Newton	Truan
Coats	Head	Nichols	Tupper
Cobb	Hilliard	Ogg	Vale
Cole	Holmes, Z.	Orr	Ward
Craddick	Howard	Parker, C.	Wieting
Cruz	Hubenak	Patterson	Williams
Daniel	Hull	Pickens	Williamson
Davis, D.	Ingram	Poff	Wolff
Davis, H.	Johnson	Presnal	Wyatt

Nays—15

Bigham	Doran	Lee	Rosson
Blythe	Earthman	Mengden	Salter
Bowers	Finck	Nabers	Uher
Cavness	Hendricks	Nugent, J.	

Absent

Calhoun	Parker, W.	Sanchez	Smith
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Absent-Excused

Agnich	Holmes, T.	Moore, T.	Von Dohlen
Carrillo	Lombardino	Niland	Wayne
Clayton	Longoria	Poerner	
Heatly	Moore, G.	Stroud	

Mr. Harding moved to reconsider the vote by which HB 630 was passed and to table the motion to reconsider.

The motion to table prevailed.

HB 616 ON THIRD READING

The Speaker laid before the House on its third reading and final passage,

HB 616, Relating to employment preference for veterans.

The bill was read third time and was passed.

Mr. Williams moved to reconsider the vote by which HB 616 was passed and to table the motion to reconsider.

The motion to table prevailed.

SB 827 ON SECOND READING
(Mr. Salter—House Sponsor)

Mr. Salter moved that all necessary rules be suspended to take up and consider at this time, SB 827.

The motion prevailed without objection.

The Speaker laid before the House on its second reading and passage to third reading,

SB 827, A bill to be entitled An Act providing that under certain conditions a rate in excess of the standard rate promulgated or approved by the State Board of Insurance as respects automobile insurance may be used in rating a specific risk if it is with the consent of the person to be insured and such person has made directly or through an agent or company an application signed by the applicant and stating the reasons for and indicating his consent to such rate or premium; amending Art. 5.03, Texas Insurance Code by adding such provision; and declaring an emergency.

The bill was read second time.

Mr. Pickens offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend SB 827 by striking all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Article 5.03, Texas Insurance Code, is hereby amended to read as follows:

"Art. 5.03. On and after the filing and effective date of such classification of such risks and rates, no such insurer shall issue or renew any such insurance at premium rates which are greater or less than, or different from those approved by the Board as just, reasonable and adequate for the risks to which they respectively apply, and not confiscatory as to any class of insurance carriers authorized by law to write such insurance.

"It is expressly provided, however, that notwithstanding any other provision of this Chapter to the contrary, a rate or premium for such insurance in excess of the standard rate or premium that has been promulgated or approved by the Board may be used on any specific risk if (1) a written application is made to the Board naming the insurer and stating the coverage and rate proposed, (2) the person to be insured or person authorized to act in relation to the risk to be insured consents to such rate, (3) the reasons for requiring such excess rate or premium

are stated in or attached to the application, (4) the person to be insured or person authorized to act for such person signs the application, and (5) the Board approved the application by order or by stamping; provided however that this paragraph shall not be applicable to an automobile owned by an individual or owned jointly by two or more relatives who are residents in the same household provided such automobile is identified and rated by the State Board of Insurance as a private passenger automobile or is a farmer's truck with a low capacity, but this provision of inapplicability to automobiles or a farm truck individually or jointly owned shall not limit current rating practices and exceptions with respect thereto.

"Section 2. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions of applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared severable.

"Section 3. All laws and parts of laws in conflict herewith are hereby repealed to the extent of such conflict.

"Section 4. The fact that certain persons including those operating under the jurisdiction of the Railroad Commission of Texas or the Interstate Commerce Commission and Private Carriers will be able to obtain insurance from rate regulated insurers at lesser rates than those of unregulated insurers or nonadmitted insurers, the peculiar circumstances of insuring certain risks, the unusual type of risk, and the crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days to be suspended, and said Rule is hereby suspended, and this bill shall be in force from and after its passage; and it is so enacted."

Mr. Salter offered the following amendment to Committee Amendment No. 1:

Amend Committee Amendment No. 1, SB 827, on page 3 of the second printing of said bill by adding a comma after the word "persons" and before the word "including" on line 7, by adding a comma after the word "Commission" and before the word "and" on line 9, and by adding a comma after the word "Carriers" and before the word "will" on line 9.

The amendment was adopted without objection.

Committee Amendment No. 1, as amended, was adopted.

Mr. Pickens offered the following committee amendment to the bill:

Committee Amendment No. 2

Amend SB 827 by striking all above the enacting clause and substituting in lieu thereof the following:

"A bill to be entitled An Act providing that under certain conditions a rate in excess of the standard rate promulgated or approved by the State Board of Insurance as respects motor vehicle insurance may be used in rating a specific risk if it is with the consent of the person to be insured and

such person has made directly or through an agent or company an application signed by the applicant and stating the reasons for and indicating his consent to such rate or premium; amending Art. 5.03, Texas Insurance Code by adding such provision; and declaring an emergency."

The committee amendment was adopted without objection.

SB 827, as amended, was passed to third reading.

Representative Griffith Moore entered the House and was announced present.

SB 827 ON THIRD READING

Mr. Salter moved that the constitutional rule requiring bills to be read on three several days be suspended and that SB 827 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Adams	Daniel	Hull	Presnal
Allen Joe	Davis, D.	Ingram	Price
Allen, John	Davis, H.	Johnson	Reed
Allred	Denton	Jungmichel	Rodriguez
Angly	Doyle	Kilpatrick	Rosson
Atwell	Dramberger	Kost	Salem
Baker	Earthman	Kubiak	Salter
Bass, B.	Farenthold	Lee	Sanchez
Bass, T.	Finck	Lemmon	Santiesteban
Beckham	Finnell	Lewis	Schulle
Bigham	Finney	Ligarde	Semos
Blanton	Foreman	Lovell	Shannon
Blythe	Gammage	McAlister	Sherman
Bowers	Garcia	McKissack	Short
Boyle	Golman	Moncrief	Slack
Braecklein	Grant	Moore, A.	Slider
Braun	Hale	Moore, G.	Solomon
Burgess	Hanna, Joe	Moreno	Spurlock
Bynum	Hannah, John	Murray	Stewart
Caldwell	Harding	Nabers	Swanson
Calhoun	Harris	Nelms	Tarbox
Cates	Hawkins	Neugent, D.	Traeger
Cavness	Hawn	Nichols	Truan
Christian	Haynes	Ogg	Tupper
Clark	Head	Orr	Vale
Coats	Hendricks	Parker, C.	Ward
Cobb	Hilliard	Parker, W.	Wieting
Cole	Holmes, Z.	Patterson	Williams
Craddick	Howard	Pickens	Williamson
Cruz	Hubenak	Poff	Wyatt

Nays—15

Atwood	Jones, D.	Mengden	Simmons
Doran	Jones, E.	Newton	Uher
Floyd	Jones, G.	Nugent, J.	Wolff
Graves	Kaster	Silber	

Absent

Smith

Absent-Excused

Agnich	Holmes, T.	Niland	Wayne
Carrillo	Lombardino	Poerner	
Clayton	Longoria	Stroud	
Heatly	Moore, T.	Von Dohlen	

The Speaker then laid SB 827 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—135

Adams	Davis, D.	Hull	Parker, C.
Allen, Joe	Davis, H.	Ingram	Parker, W.
Allen, John	Denton	Johnson	Patterson
Allred	Doran	Jones, D.	Pickens
Angly	Doyle	Jones, E.	Poff
Atwell	Dramberger	Jones, G.	Presnal
Atwood	Earthman	Jungmichel	Price
Baker	Farenthold	Kaster	Reed
Bass, B.	Finck	Kilpatrick	Rodriguez
Bass, T.	Finnell	Kost	Rosson
Beckham	Finney	Kubiak	Salem
Bigham	Floyd	Lee	Salter
Blanton	Foreman	Lemmon	Sanchez
Blythe	Gammage	Lewis	Santiesteban
Bowers	Garcia	Ligarde	Schulle
Boyle	Golman	Lovell	Semos
Braecklein	Grant	McAlister	Shannon
Braun	Graves	McKissack	Sherman
Burgess	Hale	Mengden	Short
Bynum	Hanna, Joe	Moncrief	Silber
Caldwell	Hannah, John	Moore, A.	Simmons
Calhoun	Harding	Moore, G.	Slack
Cates	Harris	Moreno	Slider
Cavness	Hawkins	Murray	Solomon
Christian	Hawn	Nabers	Spurlock
Clark	Haynes	Nelms	Stewart
Coats	Head	Neugent, D.	Swanson
Cobb	Hendricks	Newton	Tarbox
Cole	Hilliard	Nichols	Traeger
Craddick	Holmes, Z.	Nugent, J.	Truan
Cruz	Howard	Ogg	Tupper
Daniel	Hubenak	Orr	Uher

Vale	Wieting	Williamson	Wyatt
Ward	Williams	Wolff	

Absent

Smith

Absent-Excused

Agnich	Holmes, T.	Niland	Wayne
Carrillo	Lombardino	Poerner	
Clayton	Longoria	Stroud	
Heatly	Moore, T.	Von Dohlen	

Mr. Salter moved to reconsider the vote by which SB 827 was passed and to table the motion to reconsider.

The motion to table prevailed.

MEMORIAL RESOLUTION ADOPTED

The following Memorial Resolution was adopted unanimously by a rising vote:

SCR 85, In memory of Ferris J. McKool.

COAUTHORS OF HOUSE BILLS

Mr. Von Dohlen was granted permission by the author of HB 681 to sign the bill as coauthor.

Mr. Williams was granted permission by the author of HB 1261 to sign the bill as coauthor.

RECESS

Mr. Johnson moved that the House recess until 9:30 a.m. tomorrow.

The motion prevailed without objection.

The House accordingly, at 12:55 p.m., recessed until 9:30 a.m. tomorrow.

APPENDIX

RECOMMENDATIONS OF THE TEXAS WATER COMMISSION FILED WITH SPEAKER

Recommendations of the Texas Water Commission on HB 1630 filed with the Speaker on April 20, 1971.

Recommendations of the Texas Water Commission on HB 1653 filed with the Speaker on April 20, 1971.

Recommendations of the Texas Water Commission on HB 1695 filed with the Speaker on April 20, 1971.

Recommendations of the Texas Water Commission on HB 1701 filed with the Speaker on April 20, 1971.

BILLS TRANSMITTED TO GOVERNOR
UNDER ARTICLE 16, SECTION 59

HB 1732 transmitted by the Chief Clerk to the Governor on April 20, 1971.

HB 1734 transmitted by the Chief Clerk to the Governor on April 20, 1971.

HB 1735 transmitted by the Chief Clerk to the Governor on April 20, 1971.

HB 1736 transmitted by the Chief Clerk to the Governor on April 20, 1971.

HB 1737 transmitted by the Chief Clerk to the Governor on April 20, 1971.

HB 1738 transmitted by the Chief Clerk to the Governor on April 20, 1971.

HB 1739 transmitted by the Chief Clerk to the Governor on April 20, 1971.

STANDING COMMITTEE REPORTS

Favorable reports have been filed by Committees on bills and resolutions, as follows:

Counties: HB 509, HB 511, HB 512, HB 718, HB 999, HB 1435, SB 213, SB 251, SB 443.

Engrossed and Enrolled Bills: Correctly engrossed—HB 168, HB 237, HB 476, HB 616, HB 630, HB 683, HCR 116. Correctly enrolled—HB 1458, HCR 112, HCR 113, HCR 115.

Governmental Affairs and Efficiency: HB 1190, HB 1482, HB 1673, SB 232.

House Administration: SCR 80, SCR 84.

Judicial Districts: HB 358, HB 704, HB 705, HB 1608, HB 1705.

Public Education: HB 1024, HB 1232, SCR 7.

State Affairs: HB 619, HB 906, HB 1424, HB 1491.

SENT TO THE GOVERNOR
April 20, 1971

HCR 112

HCR 113

April 21, 1971

HB 1458

HCR 115

FIFTY-EIGHTH DAY (Continued)—THURSDAY, APRIL 22, 1971

The House met at 9:30 a.m. and was called to order by the Speaker.

The roll of the House was called and the following Members were present:

Mr. Speaker	Davis, H.	Jones, D.	Pickens
Adams	Denton	Jones, E.	Poerner
Agnich	Earthman	Jones, G.	Poff
Allen, John	Farenthold	Jungmichel	Presnal
Atwell	Finck	Kaster	Price
Baker	Finnell	Kost	Reed
Bass, B.	Finney	Kubiak	Rosson
Bass, T.	Floyd	Lee	Salem
Beckham	Foreman	Lemmon	Salter
Bigham	Gammage	Lewis	Schulle
Blanton	Garcia	Lombardino	Shannon
Blythe	Golman	Longoria	Sherman
Bowers	Grant	Lovell	Short
Boyle	Graves	McAlister	Silber
Braecklein	Hanna, Joe	McKissack	Simmons
Braun	Harding	Mengden	Slack
Burgess	Harris	Moncrief	Slider
Bynum	Hawkins	Moore, A.	Solomon
Caldwell	Hawn	Moore, G.	Spurlock
Calhoun	Haynes	Moore, T.	Stewart
Carrillo	Head	Moreno	Stroud
Cates	Heatly	Murray	Swanson
Cavness	Hendricks	Nabers	Tarbox
Christian	Hilliard	Nelms	Truan
Clayton	Holmes, T.	Newton	Tupper
Coats	Holmes, Z.	Nichols	Vale
Cobb	Howard	Niland	Von Dohlen
Cole	Hubenak	Orr	Ward
Craddick	Hull	Parker, C.	Williams
Daniel	Ingram	Parker, W.	Wolff
Davis, D.	Johnson	Patterson	Wyatt

Absent

Allred	Doyle	Neugent, D.	Smith
Angly	Dramberger	Nugent, J.	Uher
Atwood	Hale	Ogg	Williamson
Clark	Hannah, John	Sanchez	
Cruz	Kilpatrick	Santiesteban	
Doran	Ligarde	Semos	

Absent-Excused

Allen, Joe	Traeger	Wayne	Wieting
Rodriguez			